

**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Docket Number (Optional)

P2614US00

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on \_\_\_\_\_

Signature \_\_\_\_\_

Typed or printed name \_\_\_\_\_

Application Number

10/557,820

Filed

November 23, 2005

First Named Inventor

Kwan Young Han

Art Unit

2894

Examiner

TRAN, TONY

Applicant requests review of the final rejection in the above-identified application. No amendments are being filed with this request.

This request is being filed with a notice of appeal.

The review is requested for the reason(s) stated on the attached sheet(s).

Note: No more than five (5) pages may be provided.

I am the

☐ applicant/inventor.

/hae-chan park/

☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96)

Signature

Hae-Chan Park

Typed or printed name

☒ attorney or agent of record.  
Registration number 50114

703-288-5105

Telephone number

☐ attorney or agent acting under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

February 4, 2011

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.

☐ \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 35 U.S.C. 132. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*In re* Patent Application of:

Docket No.: P2614US00

Kwan Young HAN, *et. al.*

Serial No.: 10/557,820

Group Art Unit: 2894

Confirmation No.: 2544

Filed: November 23, 2005

Examiner: TRAN, TONY

For: **LIGHT EMITTING DIODE PACKAGE AND LIGHT EMITTING DIODE SYSTEM  
HAVING AT LEAST TWO HEAT SINKS**

**Mail Stop: AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

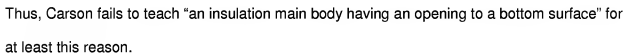
**PRE-APPEAL BRIEF REQUEST FOR REVIEW**

Sir:

In response to the Final Office Action dated October 4, 2010 ("Office Action"), Applicants request review of the above referenced application prior to the filing of an appeal brief because the rejections of record are clearly not proper and are without basis.

I. Carson does not anticipate claims 1-5 and 16-18 for at least the reasons noted on pages 7-9 of Applicants' Reply dated July 26, 2010. Please refer to those remarks as they are not repeated here.

The Office Action's continued rejection of claims 1-5 and 16-18 is erroneous for at least two reasons. First, Carson fails to teach "an insulation main body having an opening to a bottom surface." Here, the Office Action cites retainer blocks 76 as teaching the insulation main body, but inexplicably concludes that the interface between the retainer blocks 76 and shouldered holes 68 and 70 teach an opening in the retainer blocks 76 (Office Action, page 2). As seen in Carson's Fig. 2 excerpted below, the Office Action's added dark line indicating an opening in retainer blocks 76 (see Office Action, page 2, annotated Fig. 2) is actually nothing more than highlighting the area where "[t]he retainer blocks 76 are adhesively bonded or



Second, Carson fails to teach “at least two heat sinks ... being separated from each other”. The Office Action’s conclusion otherwise is nonsense. Here, the Office Action concludes that portions of plate 18 on either side of retainer block 76 are separated (see Office Action, page 2, annotated Fig. 2 & pages 3 & 13). As Figure 1c, excerpted below, plainly shows, plate 18 is a single, contiguous body that includes holes, including holes 68 and 70.



To suggest that HS1 and HS2 (i.e., portions of plate 18; see Office Action, page 2, annotated Fig. 2) are separated from each other flagrantly and erroneously ignores the fact that plate 18 is a single body. As Fig. 1c shows, plate 18 does not include two portions that are separated from each other. Thus, Carson fails to teach "at least two heat sinks ... the heat sinks being separated from each other" for at least these reasons.

II. Claims 1-10, 12, 13, and 15 are not obvious in view of Roberts and Carson for at least the reasons noted on pages 9-12 of Applicants' Reply dated July 26, 2010. Please refer to those remarks as they are not repeated here.

In maintaining this rejection of claims 1-10, 12, 13, and 15, the Office Action correctly concludes that Roberts fails to teach "wherein a lower portion of each of the at least two heat sinks is exposed to the outside of the bottom surface of the main body through the opening of the main body" (page 7). The Office Action then erroneously concludes, however, that Carson's Figure 2 "teaches **the two heat sinks** wherein a lower portion of each of the at least two heat sinks ([HS1] & [HS2]) is exposed to the outside of the bottom surface of the main body (76) through the opening of the main body ([O], Fig 2 [as shown above])" (page 7; **Response to Arguments**, page 13). As noted above, Carson fails to teach (1) an insulation main body having an opening to a bottom surface, and (2) at least two heat sinks being separated from each other. Hence, the Office Action fails to establish a *prima facie* case of obviousness of claims 1-10, 12, 13, and 15 for at least these reasons.

III. Applicants respectfully submit that the rejections of record discussed above are clearly not proper and are without basis and that all grounds for rejection have been overcome or rendered moot. Accordingly, Applicants submit that all pending claims are allowable and that the application is in condition for allowance.

Prompt and favorable consideration of this Pre-Appeal Brief Request for Review is respectfully requested.

Respectfully Submitted,

/hae-chan park/

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Reg. No. 50,114

Date: February 4, 2011

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